REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended no claims. Applicant respectfully submits no new matter has been added. Accordingly, Claims 1-16 and 22-27 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 1-5, 7-16 and 22-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tatsumi et al (US 2002/0095635 A1) in view of Byers (US 2009/0248843 A1), hereinafter "Byers". The Applicant respectfully traverses the rejection of these claims.

The present invention discloses a solution for file repair in a broadcast transmission. Content data is broadcast to a number of clients and each client is tasked to recognize whether there is an error in the received data. In case of error the client randomly selects one proxy server from a list of proxy servers to contact and recover the data. The reason for providing the list of proxy servers and utilizing a random selection of proxies in case of error is that all clients will not access the same server at the same time and resources are actually saved.

The Tatsumi reference discloses that, if an error occurs during broadcast transmission, the transmitter is contacted for retransmitting the data. The transmitter then decides whether to use a bidirectional or broadcast transmission. Effectively Tatsumi discloses that the same unit is always contacted for retransmission. The resource saving that is disclosed in Tatsumi is achieved by the transmitter deciding which transmission to use in case of error recovery, either unicast or broadcast transmission.

The limitation beginning "bi-directionally coupling the plurality of clients,..." is noted as being disclosed by the Tatsumi reference (Fig. 1, paragraph [0019]). The cited paragraph refers to a bidirectional path between the broadcaster and the clients, not between the clients and the proxy servers. Paragraph [0019] states in lines 10-12, that

"...a receiving unit receives data...from the broadcasting path or bidirectional communication path." Thus, Tatsumi does not disclose a non-bidirectional pathway

As noted in the Detailed Action the limitation beginning "randomly selecting by each of the...clients one of the plurality of...proxy servers" is not disclosed in the Tatsumi reference. The Byers reference is cited for disclosing a plurality of proxy servers and discloses a technique for providing web content that may be "hidden" or assembled on request. If a user wants to access a web page that includes a number of components (pictures, text, etc.) a server is contacted by sending a number of queries for retrieving all the components. Byers discloses providing a number of proxy servers and ranking them on a list according to retrieval time (optimum, adequate and less than adequate). The Byers reference discloses a testing phase for searching for available proxy server services by sending test queries: "The <u>proxy server services meeting the test criteria</u> are then used to systematically retrieve query results from the target server in a parallel manner, reducing total access time and <u>randomizing the sources of the queries</u>, the order of the queries or both." (Figure 1, paragraph [0021]). The list of proxy servers are ranked as primary and secondary proxy servers after testing. A proxy server from the primary list is contacted by a client and if all are in use, a proxy server from the secondary list is used (paragraph [0029]) In the Byers reference particular proxy servers are used only if certain test criteria is met. (paragraph [0038])

The Applicant respectfully contends that a person skilled in the art would not look to Byers as Byers is not directed to broadcast transmission nor is Byers directed to random selection of a proxy server by a client. Instead, Byers provides lists of tested proxy servers <u>to</u> clients, which is in direct contradiction to the Applicant's claim 1:

> "...determining, <u>by the plurality of clients,</u> a plurality of available proxy servers that may be contacted for post-processing after the content data broadcast, wherein the plurality of clients is different from the plurality of proxy servers..." (excerpt from claim 1)

The limitation "...*determining, by the plurality of clients, a plurality of available proxy servers that may be contacted for post-processing...*" is not disclosed by the Byers reference as the Byers server list is provided to the client. As stated in claim 1; <u>the plurality of clients</u> determines the <u>plurality of available proxy servers</u>. The Detailed

Description states it this way: "*Next, at step 220, the client identifies a list of available proxy servers to contact for post-processing.*" (paragraph [0036]).

The Tatsumi and Byers references, whether taken individually or together, do not disclose the downlink-only communications pathway, the bi-directionally coupling or the random selection of proxy servers by clients limitations in claim 1. This being the case, the Applicant respectfully requests the allowance of claim 1 and analogous claims 22 and 26.

Claims 2-5, 8-16, 23-25 and 27 depend from independent claims 1, 22 and 26 and recite further limitations in combination with the novel elements of the independent claims. Therefore, the allowance of claims 2-5, 8-16, 23-25 and 27 is respectfully requested.

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Tatsumi and Takagi in view of Hudson et al (US 2003/0204613 A1). The Applicant respectfully traverses the rejection of this claim.

The Hudson reference is cited for disclosing a digital rights manager. The Hudson reference fails to disclose the limitations not disclosed by either the Tatsumi or Takagi references or the combination of these references. Claim 6 depends from claim 1 and recites further limitations in combination with the novel elements of claim 1.

Therefore, the Applicant respectfully submits that the combination of these references does not teach all the limitations in claim 6 and the allowance of claim 6 is respectfully requested.

Prior Art Not Relied Upon

In paragraph 4 on page 10 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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